

TOWN OF WELLESLEY



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1999 OCT -5 A 11: 32

ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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ZBA 99-70

Petition of Arthur J. and Elizabeth H. Greenwood
8 Windsor Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 23, 1999 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of ARTHUR J. AND ELIZABETH H. GREENWOOD requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the raising of the ridge line of the roof 7 feet above their existing nonconforming detached 19.17 foot by 23.25 foot detached garage, with less than the required right side yard setback, to accommodate a second story loft addition of the same dimensions, on their property at 8 WINDSOR ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming dwelling. A 3 foot by 5.5 foot landing and stair, with less than the required right side yard setback, is proposed for egress from the rear of the garage.

On September 9, 1999, the petitioners filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Arthur Greenwood, who said he would like to change the garage roof from a flat to a pitched roof to enable the family to use the additional space for storage.

The Board asked if the Greenwoods had any intention of using the loft for living space, as the Board would place a condition in the decision that no plumbing be installed in the garage, and that it never be used as living space. Mr. Greenwood had no problem with the conditions.

The Board commented that the Planning Board had no problem with the loft addition as long as it was not used for living space.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 8 Windsor Road, in a Single Residence District, on a 21,780 square foot lot and contains a conforming two-story dwelling and an existing nonconforming detached 19.17 foot by 23.25 foot garage with a minimum right side yard clearance of 5.9 feet.

The petitioners are requesting a Special Permit/Finding that the raising of the ridge line of the garage roof 7 feet to accommodate a loft addition of the same dimensions, and the construction of a 3 foot by 5.5 foot

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landing and stair to provide egress from the rear of the garage, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. With the exception of the landing and stair, there will be no change in the footprint.

A Plot Plan dated August 31, 1999, drawn by Terrence M. Ryan, Registered Professional Land Surveyor; Existing and Proposed floor plans and elevations dated 8/20/99, drawn by Abeles & Associates; and photographs were submitted.

On September 21, 1999, the Planning Board reviewed the petition, and questioned the proposed use of the garage. The Board had no objection to its use for storage purposes, but would object to an active use.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject garage does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the finding of this Authority that the raising of the ridge line of the roof above the detached nonconforming 19.17 foot by 23.25 foot garage to accommodate a loft addition of the same dimensions shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as it will neither intensify the existing nonconformance nor create new nonconformity. The 3 foot by 5.5 foot landing and stair are allowed by right.

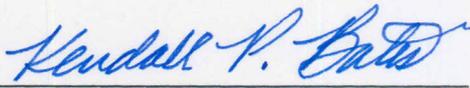
Therefore, a Special Permit is hereby granted, as voted unanimously by this Authority at the Public Hearing for the construction of the loft addition to the detached nonconforming garage subject construction is accordance with the submitted plot plan and construction drawings, and further subject to the following conditions:

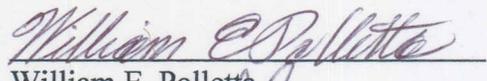
1. The loft addition shall be used only for storage and never for living space.
2. No plumbing shall ever be installed in said garage.

The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.

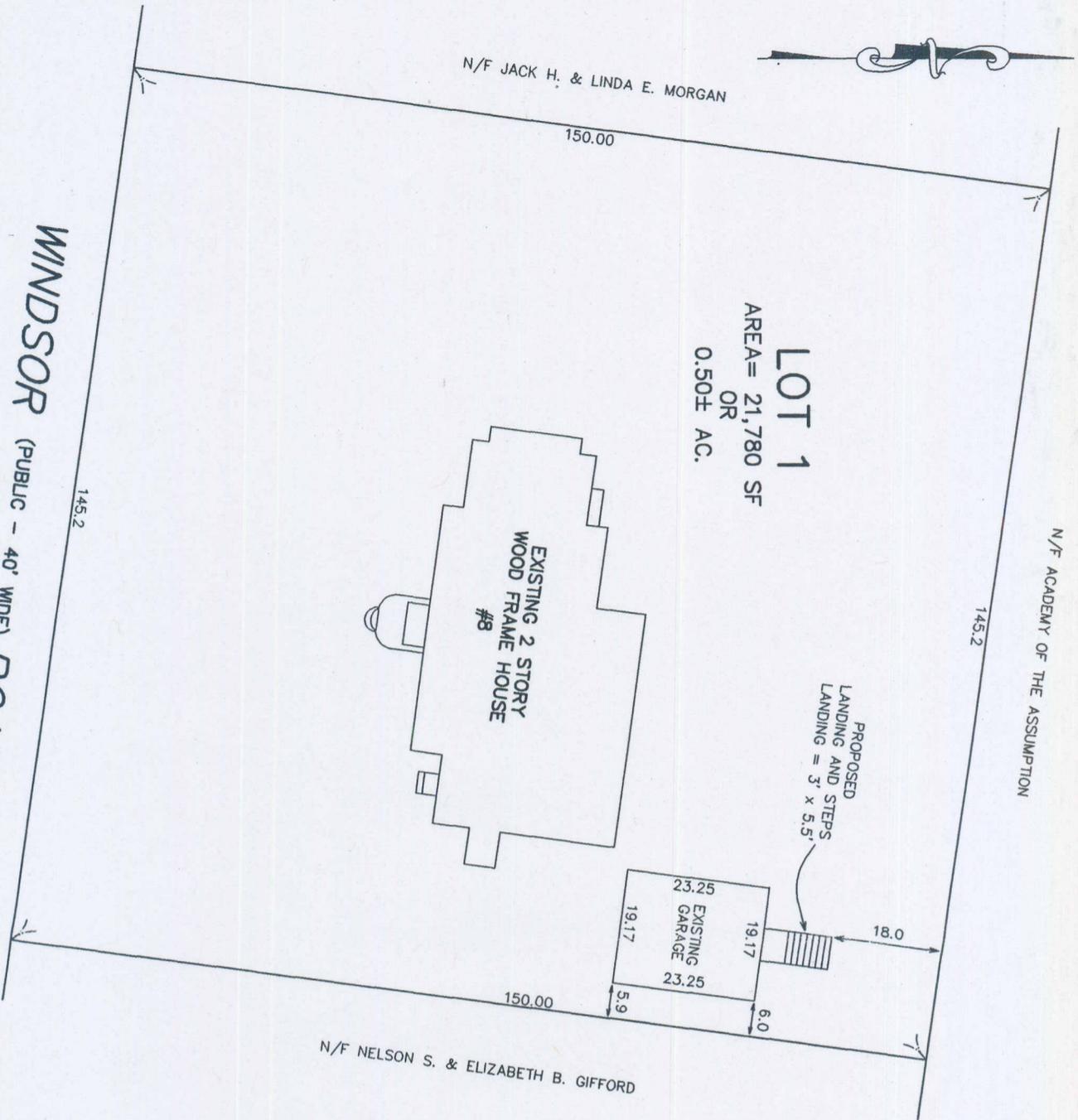
Cc: Planning Board
Inspector of Buildings
edg


Kendall P. Bates, Chairman


William E. Polletta


Richard L. Seegel

WINDSOR (PUBLIC - 40' WIDE) ROAD



**PROPOSED
PLOT PLAN
WELLESLEY, MASS.**

DATE: AUGUST 31, 1999 SCALE: 1" = 20'

PREPARED FOR:

LIZ GREENWOOD
59 WINDSOR ROAD
WELLESLEY, MASS. 02481

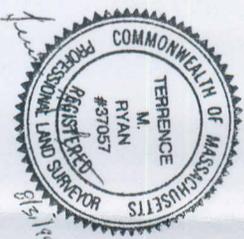
ENGINEERS & SURVEYORS:

APPLEWOOD SURVEY CO.
21 GREEN STREET
HOLLISTON, MASS. 01746
TERRENCE M. RYAN R.L.S. 37057

ZONED: SINGLE RES.
AREA: 20,000 SF
FRONTAGE: 100 FT
SETBACK: 30 FT
SIDEYARD: 20 FT
REARYARD: 20 FT
MAX. COVERAGE: 18%

PROP. COVERAGE = 2550 SF = 11.7%

DEED BOOK 3444 PAGE 275
ASSESSORS MAP 56 LOT 32



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1999 SEP -7 P 2:01

I CERTIFY THAT THE LOT SHOWN AND EXISTING HOUSE SHOWN THEREON CONFORM TO THE DIMENSIONAL OFFSET REGULATIONS OF THE WELLESLEY ZONING BYLAWS.
I CERTIFY THAT THE LOT SHOWN AND EXISTING HOUSE SHOWN THEREON ARE LOCATED IN A FEDERAL FLOOD HAZARD ZONE "C" - SUBJECT TO MINIMAL FLOODING (SOURCE: F.I.R.M. 250255 0005 B).